

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE AMENDMENT OF THE TARIFF OF  
SOUTHERN OHIO TELEPHONE COMPANY

)  
) CASE NO. 89-383

O R D E R

On December 20, 1989, Southern Ohio Telephone Company ("SOTCo") filed a request for approval of a revised tariff ("Revised Tariff") increasing its rates for wholesale service.<sup>1</sup> SOTCo currently has no wholesale customers in Kentucky.<sup>2</sup> The Commission finds that the Revised Tariff is just and reasonable and should be approved with the exception of Section 11.2 therein. That section concerns notice to the Commission of the effective date of future changes in rates and charges. The Revised Tariff proposes to give the Commission such notice at least seven days

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<sup>1</sup> The Revised Tariff does not state an effective date thereby removing the time constraints for the Commission's consideration of it.

<sup>2</sup> SOTCo provides cellular telecommunications services in the Cincinnati, Ohio - northern Kentucky cellular geographic service area. See Case No. 9462, The Application of the Southern Ohio Telephone Company for the Issuance of a Certificate of Public Convenience and Necessity to Provide a New Domestic Public Cellular Radio Telecommunications Service to the Public in the Greater Cincinnati Metropolitan Area Including All or Parts of Butler, Clermont, Hamilton, and Warren Counties in Ohio; Boone, Campbell, Gallatin, Grant, Kenton, Ohio, and Pendleton Counties in Kentucky and Dearborn, Franklin and Switzerland Counties in Indiana.

prior to the effective date of any change. KRS 278.180(1), however, requires 30 days notice to the Commission unless the Commission, for good cause shown, reduces the notice to 20 days prior to the effective date of the changes. The statutory requirement must prevail and the Commission finds that Section 11.2 of the Revised Tariff should be amended to conform to the requirements of KRS 278.180(1).

IT IS THEREFORE ORDERED that:

1. The provisions of SOTCo's Revised Tariff shall be and hereby are approved except for Section 11.2 thereof.

2. SOTCo shall amend Section 11.2 of the Revised Tariff to conform to the requirements of KRS 278.180(1) within 10 days of the date of this Order.

Done at Frankfort, Kentucky, this 26th day of March, 1990.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director